

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE SECTION**

UNITED STATES OF AMERICA]	
]	
VS.]	CRIM. CASE NO. 3:15-CR-00037-5
]	JUDGE CAMPBELL
PAMELA O'NEAL]	

**RESPONSE IN OPPOSITION TO CO-DEFENDANT BRADLEY'S
MOTION FOR ISSUANCE OF SUBPOENA *DUCES TECUM***

Comes now the Defendant, through counsel, and responds in opposition to co-defendant Benjamin Bradley's Motion and Memorandum in Support for Issuance of Subpoena *Duces Tecum*. [Doc. No. 579]

Co-defendant Benjamin Bradley seeks through his motion a subpoena *duces tecum* "...on the ground that Dr. Madhu Mendiratta MD has in her possession mental-health records which are material evidence in the matter before the court." [Doc. No. 579; Page ID No. 1673] Co-defendant Bradley further asserts:

Based on the Defendant's observations of Ms. O'Neal, his conversations with her, and conversations with acquaintances of Ms. O'Neal, the defendant has reason to believe that Ms. O'Neal suffers from mental illness to an extent that would cause a reasonable person to question her credibility. By information and belief, she has been treated by Dr. Madhu Mendiratta. Dr. Mendiratta will likely, therefore, possess information critical the defendant. [sic]

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The Defendant, Ms. O'Neal, is not currently under the care of any mental health professional, nor does she suffer from any mental health disability. Dr. Mendiratta is Ms.

O'Neal's primary care physician and has no mental health records regarding Ms. O'Neal.

WHEREFORE, the Defendant, Ms. Pamela O'Neal, responds in opposition to co-defendant Bradley's Motion for Subpoena *Duces Tecum*. It should be denied inasmuch as no such records are in the possession of Dr. Mendiratta, nor do any such records exist which "...would cause a reasonable person to question her credibility."

Respectfully Submitted,

s/ Dwight E. Scott
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion has been provided to Asst. U.S. Attorney Cecil VanDevender, cecil.vandevender@usdoj.com, Suite A-961, 110 Ninth Ave. South, Nashville, TN 37203, via the court's electronic filing system on this the 4th day of October, 2016. Other parties to the case may be served via other means.

s/ Dwight E. Scott